

REMARKS

The Applicants appreciate the Examiner's thorough examination of the subject application. Applicants request reconsideration of the subject application based on the following remarks.

Claims 1, 2, 5, 6, 10 and 11 are currently pending in the application. Claims 1, 2, 5, 6 and 11 have been canceled. Claims 10 has been amended.

Support for the amendments to claim 10 can be found throughout the application as filed. No new matter has been added by the amendments to the specification or the claims.

Claims 1, 10 and 11 were rejected under 35 U.S.C. §112, second paragraph, as being allegedly indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1 and 11 have been canceled, thereby obviating the rejections thereto. With regard to claim 10, the Examiner maintains that in the absence of the specific identity of the additional edible polymer of this invention, the identity of said additional edible polymer would be difficult to describe and the metes and bounds of said additional edible polymer that Applicants regard as the invention cannot be sufficiently determined because they have not been particularly pointed out or distinctly articulated in the claims. The Examiner has indicated that claim 10 would be allowable if rewritten to overcome the rejection under 35 U.S.C., 2nd paragraph, set forth in this Office Action, since the prior art of record does not teach or fairly suggest a water soluble film preparation that comprises nilvadipine, a reducing maltose starch syrup, and one or more of poly(vinylpyrrolidone) and hydropropyl cellulose.

Applicants have amended claim 10 to include which specific additional edible polymers may comprise the film preparation. On November 30, 2004, Applicants'

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attorney reviewed the amended language of claim 10 with Examiner White. Subject to the Supervisory Primary Examiner's agreement, Examiner White indicated that, as amended, claim 10 would be allowable.

Claims 1 was rejected under 35 U.S.C. §102(e) as being anticipated by Yamamura, et al (US Patent No. 5,914,118).

Applicants have canceled claim 1, thereby obviating this rejection.

Claims 1, 2, 5 and 6 were rejected under 35 U.S.C. §103(a) as being allegedly unpatentable over Yamamura, et al (US Patent No. 5,914,118).

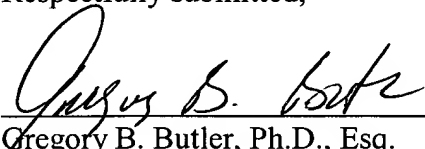
Applicants have canceled claims 1, 2, 5 and 6, thereby obviating this rejection.

In summary, reconsideration of this application and the allowance of Claim 10 of this application as hereinabove amended in response to this communication is respectfully requested for the reasons stated above.

Finally, Applicants believe that additional fees are not required in connection with the consideration of this response to the currently outstanding Official Action. However, if for any reason a fee is required, a fee paid is inadequate or credit is owed for any excess fee paid, you are hereby authorized and requested to charge and/or credit Deposit Account No. **04-1105**, as necessary, for the correct payment of all fees which may be due in connection with the filing and consideration of this communication.

Respectfully submitted,

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